

PUBLIC CHAPTER NO. 1040

HOUSE BILL NO. 1592

By Representatives Bone, McDaniel

Substituted for: Senate Bill No. 735

By Senators Southerland, Burks

AN ACT to amend Tennessee Code Annotated, Title 43, Chapter 11, Part 1, relative to fertilizer.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 43-11-103, is amended by inserting the following as new, appropriately designated subdivisions thereto and by redesignating the remaining subdivisions accordingly:

() "Local legislation" means, but is not limited to, any ordinance, motion, resolution, amendment, regulation or rule adopted by a political subdivision;

() "Political subdivision" means any local government entity and includes, but is not limited to, any city, county or municipal government and any other body corporate and politic that is responsible for government activities in a geographic area smaller than the state;

SECTION 2. Tennessee Code Annotated, Title 43, Chapter 11, Part 1, is amended by inserting the following as a new, appropriately designated section thereto:

No political subdivision may regulate the registration, packaging, labeling, sale, storage, distribution, use and application of fertilizers; and, in addition, no political subdivision may adopt or continue in effect local legislation relating to the registration, packaging, labeling, sale, storage, distribution, use or application of fertilizers. Local legislation in violation of this section is void and unenforceable.

SECTION 3. The provisions of this act shall not apply in any county having a population in excess of two hundred thousand (200,000) according to the 2000 federal census or any subsequent federal census.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 14, 2008



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 28th day of May 2008



PHIL BREDESEN, GOVERNOR